

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 2057 of 1997

in

SPECIAL CIVIL APPLICATION No 453 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

JUNAGADH JILLA MAZDOOR SANGH

Versus

STATE OF GUJARAT

Appearance:

MRS DT SHAH for Petitioners

CORAM : MR.JUSTICE B.C.PATEL and
MR.JUSTICE C.K.BUCH

Date of decision: 23/12/97

ORAL JUDGEMENT (Per Patel, J.)

Learned advocate has filed this Miscellaneous
Application in Special Civil Application No. 453/97,

joining six respondents. In the cause title, below the word 'respondents', there is a manuscript endorsement 'original oppnts'. Copy of the order passed in Spl. C.A. No. 453/97 is at annexure 'B' to this application, and the very first line of the order reads that Mr. J.D. Ajmera is appearing for respondents No. 7 and 8. Thus, there is conflict between the number of respondents in this Application and the Spl. C.A. in which this application is filed.

2. In the beginning of the argument, learned advocate for the applicant submitted that respondents No. 7 and 8 of the petition are respondents No. 5 and 6 in this application. It was the duty of the learned advocate to describe the same in the cause title. By not describing the position of the opponents with their original position in the original proceedings, it causes lot of inconvenience, Registry is also negligent in accepting such matters. It is the duty of the advocate to present the application in accordance with the rules. This application is not in conformity with the rules, and, therefore, we would not like to entertain this application.

3. This application is rejected on the above count, and the petitioner will be at liberty to file a fresh application in accordance with law.

csm./ -----